

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No.: 09/993,733)	Group Art Unit: 1772
Filing Date: November 21, 2001)	Examiner: Augehenbaugh, Walter
For: Concrete Formworks And Method Of Making Same)	Docket No: 13190.101
Inventor: Gregory D. Johnson)	Attachment to Paper No.: 4

DECLARATION OF GREGORY D. JOHNSON

1. I, Gregory D. Johnson, am currently a Partner in J. M. McCormick Company, a distributor of lumber and other building products. I have worked in the area of lumber and building materials for eighteen years, and in particular, I have distributed and sold lumber and laminated panels for use in buildings, construction, truck bodies, and other uses for most of these eighteen years. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.

2. I am the inventor in the above-designated patent application (hereinafter "the application").

3. I have read and am familiar with the claims currently in the application and the Office Action dated January 15, 2003 issued by the examiner in the application (hereinafter "the Office Action"); I have read and am familiar with United States Patent No. 5,030,488 issued July 9, 1991 to Igor Sobolev (hereinafter "Sobolev"), United States Patent No. 4,842,241 issued June 27, 1989 to John M. Fitzgerald et al. (hereinafter "Fitzgerald et al."), United States Patent No. 6,295,786 B1 issued October 2, 2001 to John Bartholomew Lee (hereinafter "Lee"), United States Patent No. 6,117,521 issued September 12, 2000 to Hidetsugu Yoshida et al. (hereinafter "Yoshida et al."), and United States Patent No. 4,473,209 issued September 25, 1984 to Anthony J. Gallis et al. (hereinafter "Gallis et al.").

4. I submit this Declaration to present to the examiner facts concerning the patentability of the claims in the application, including bringing to the attention of the

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examiner, in an authenticated manner, information relating to the patentability of the claims.

5. Amended claim 1 of the patent application describes a concrete formwork panel including a high-density polyethylene plastic core and a steel facing.

6. I note that none of the references cited suggest such a combination, for concrete formwork or any other purpose.

7. Sobolev mentions at column 9, lines 27 – 30, that steel is one metal that could be used as facing for a laminated panel.

8. However, Sobolev mentions steel only as one of many metals that could be used. Further, nowhere in the patent does Sobolev mention steel again. All the examples that he gives use aluminum as a facing material.

9. From Sobolev and the other references, one would never guess that the combination of steel facing with a high-density polyethylene core provides a concrete formwork panel that is vastly superior to all previous concrete formwork panels.

10. The combination of steel facing with a high-density polyethylene core provides a concrete formwork panel at approximately one-third the cost of previous concrete formwork panels.

11. In addition, other panels, after a short time, do not produce as smooth a concrete surface as the steel and polyethylene combination.

12. Wood, for example, gets grooves, scratches, and other defects on its face that show up in the concrete surface.

13. Aluminum facing is sensitive to the lye and other chemicals used in concrete; thus, the facing also becomes marred after a short time, with the result that the concrete that is formed is no longer smooth.

14. At the same time, the steel and high density polyethylene combination provides a panel that provides a combination of light weight and durability that cannot be matched by any other concrete formwork panel.

15. Prior to my invention of the panel as claimed in amended claim 1, only the high-volume builders that had so much work that their concrete formwork panels were

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almost continually being used could afford lightweight, durable formwork.


16. The panel with the combination of a high density polyethylene core and steel facing has made premium quality formwork panels available to the average builder, thus allowing the average builder to produce high-quality concrete for the first time.

17. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

4/9/03

By:



Gregory D. Johnson

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